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APPLICATION NO.	F	ILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO	. CONFIRMATION NO.
09/835,184	04/16/2001		Marcus H. Pendergrass	28549-165403	5355
26694	7590	10/13/2004		EX	AMINER
VENABLE P.O. BOX 34	-	ER, HOWARD AI	НА	HA, DAC V	
WASHINGTON, DC 20043-9998				ART UNIT	PAPER NUMBER
				2634	0

DATE MAILED: 10/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

$\sigma$	Application No.	Applicant(s)
, Office A - 4' O	09/835,184	PENDERGRASS ET AL.
Office Action Summary	Examiner	Art Unit
	Dac V. Ha	2634
The MAILING DATE of this communication Period for Reply	appears on the cover sheet w	ith the correspondence address
A SHORTENED STATUTORY PERIOD FOR RETHE MAILING DATE OF THIS COMMUNICATION  - Extensions of time may be available under the provisions of 37 CF after SIX (6) MONTHS from the mailing date of this communication.  - If the period for reply specified above is tess than thirty (30) days, If NO period for reply is specified above, the maximum statutory provided in the second period for reply within the set or extended period for reply will, by some analysis of the second patent term adjustment. See 37 CFR 1.704(b).	ON. R 1.136(a). In no event, however, may a n. a reply within the statutory minimum of thi eriod will apply and will expire SIX (6) MO tatute, cause the application to become A	reply be timely filed  rty (30) days will be considered timely.  NTHS from the mailing date of this communication.  BANDONED (35 U.S.C. § 133).
Status		
1)⊠ Responsive to communication(s) filed on 1     2a)□ This action is FINAL. 2b)□     3)⊠ Since this application is in condition for alled closed in accordance with the practice under the condition of the closed in accordance with the practice.	This action is non-final.  Dwance except for formal materials	·
Disposition of Claims		
4) ☐ Claim(s) 1-44 is/are pending in the applica 4a) Of the above claim(s) is/are with 5) ☐ Claim(s) 1-44 is/are allowed. 6) ☐ Claim(s) is/are rejected. 7) ☐ Claim(s) is/are objected to. 8) ☐ Claim(s) are subject to restriction as  Application Papers  9) ☐ The specification is objected to by the Exar 10) ☐ The drawing(s) filed on is/are: a) ☐	ndrawn from consideration.  nd/or election requirement.  niner.  accepted or b) □ objected to	-
Applicant may not request that any objection to Replacement drawing sheet(s) including the co	rrection is required if the drawing	g(s) is objected to. See 37 CFR 1.121(d).
Priority under 35 U.S.C. § 119		
12) Acknowledgment is made of a claim for form  a) All b) Some * c) None of:  1. Certified copies of the priority docum  2. Certified copies of the priority docum  3. Copies of the certified copies of the application from the International But  * See the attached detailed Office action for a	nents have been received. nents have been received in A priority documents have beer reau (PCT Rule 17.2(a)).	Application No  n received in this National Stage
Attachment(s)  1) ☑ Notice of References Cited (PTO-892)  2) ☑ Notice of Draftsperson's Patent Drawing Review (PTO-948  3) ☑ Information Disclosure Statement(s) (PTO-1449 or PTO/SE Paper No(s)/Mail Date <u>5</u> , <u>7</u> .	) Paper No	Summary (PTO-413) (s)/Mail Date Informal Patent Application (PTO-152) 

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## **DETAILED ACTION**

1. This application is in condition for allowance except for the following formal matters:

#### Claim 1:

Line 5, "said spectral characteristic" should be "said predetermined spectral characteristic".

Line 7, "said spectral characteristic" should be "said predetermined spectral characteristic".

# Claim 14:

Line 8, "said spectral characteristic" should be "said predetermined spectral characteristic".

Lines 9-10, "said spectral characteristic" should be "said predetermined spectral characteristic".

#### Claim 17:

Line 9, "said spectral characteristic" should be "said predetermined spectral characteristic".

Lines 10-11, "said spectral characteristic" should be "said predetermined spectral characteristic".

# Claim 20:

Line 10, "said spectral characteristic" should be "said predetermined spectral characteristic".

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Lines 11-12, "said spectral characteristic" should be "said predetermined spectral characteristic".

# Claim 23:

Line 10, "said spectral characteristic" should be "said predetermined spectral characteristic".

Lines 11-12, "said spectral characteristic" should be "said predetermined spectral characteristic".

## Claim 32:

Line 8, "said spectral characteristic" should be "said spectral notch".

Line 7, "said spectral characteristic" should be "said spectral notch".

## Claim 42:

Line 5, "said spectral characteristic" should be "said predetermined spectral characteristic".

Lines 6-7, "said spectral characteristic" should be "said predetermined spectral characteristic".

Prosecution on the merits is closed in accordance with the practice under *Ex* parte Quayle, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO**MONTHS from the mailing date of this letter.

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Barrett (US 5,610,907) discloses Ultrafast Time Hopping CDMA-RF

Communications: Code-As-Carrier Mulchannel Operation, High Data Rate Operation

And Data Rate On Demand.

Harmuth (US 5,523,758) discloses Sliding Correlator For Nanosecond Pulses.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dac V. Ha whose telephone number is 571-273-3040. The examiner can normally be reached on 5/4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Chin can be reached on 571-272-3056. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dac V. Ha Examiner Art Unit 2634